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May 19, 2023

Hon. Lewis J. Liman, U.S.D.J.
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

Via ECF

CORRECTED LETTER

Re: **689 Eatery Corp., etc. et ano. v. City of New York, et al.,**
Docket No. 02 CV 4431 (LJL) (“Action No. 1”)

59 Murray Enterprises, Inc. etc., et ano. v. City of New York, et al.,
Docket No. 02 CV 4432 (LJL) (“Action No. 2”)

Club at 60th Street, et al. v. City of New York
Docket No. 02 CV 8333 (LJL) (“Action No. 3”)

336 LLC, etc, et al. v. City of New York
Docket No. 18 CV 3732 (LJL) (“Action No. 4”)

Dear Judge Liman:

We represent the plaintiffs in Action No. 2 and write to supplement the joint letter to the Court e-filed yesterday, May 18, 2023.

Plaintiffs have today e-filed the Supplemental Declaration of Michael Berzak which will support our pending Motion for Partial Summary Judgment.

We write to advise the Court, pursuant to Your Honor’s Orders dated May 2, 2023, and May 8, 2023, that Plaintiffs intend to rely on this Supplemental Berzak Declaration as

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part of our direct case on trial, in addition to the declarations and affidavits listed in Schedule A to the May 18th letter.

Respectfully,



Edward S. Rudofsky

Cc: All Counsel (Via E-Filing)

1. /28/23.